

## Message Text

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ACTION PM-03

INFO OCT-01 EUR-12 IO-10 ISO-00 CIAE-00 DODE-00 H-02

INR-07 L-02 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 ERDA-05 ACDA-05 OMB-01 NRC-05 OES-03 /086 W

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R 181930Z MAR 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC 8755

INFO AMEMBASSY LONDON

USMISSION GENEVA

C O N F I D E N T I A L B O N N 0 4 4 1 5

GENEVA PASS BERNARD OXMAN LOS DELEGATION

E.O. 11652: GDS

TAGS: GW, UK, MNUC, TECH

SUBJECT: 1962 BRUSSELS CONVENTION ON LIABILITY OF

NUCLEAR-POWERED SHIPS

1. US/UK/FRG TRILATERAL DISCUSSIONS ON 1962 BRUSSELS CONVENTION HELD MARCH 13-14 IN BONN. TALKS PRODUCED USEFUL CLARIFICATION OF VIEWS, PARTICULARLY WITH RESPECT TO WARSHIP EXCLUSION AND MEANS BY WHICH THIS MIGHT BE ACCOMPLISHED.

2. FRG HAS VIRTUALLY COMPLETED PARLIAMENTARY PROCEDURES AND EXPECTS TO BE IN POSITION TO DEPOSIT INSTRUMENTS OF RATIFICATION BY JUNE-JULY. FRG REPS STRESSED THAT NEW NUCLEAR LIABILITY LEGISLATION IS TIED TO ENTRY INTO FORCE OF BRUSSELS CONVENTION, AND THEREFORE THAT CONTINUED OPERATION OF OTTO HAHN, AND COMMERCIAL ORDERS FOR OTHER NUCLEAR MERCHANT SHIPS, ARE DEPENDENT UPON RATIFICATION AS SOON AS POSSIBLE. FROM FRG VIEWPOINT, RAPID RESOLUTION OF WARSHIP EXCLUSION QUESTION IS THEREFORE ESSENTIAL.

3. U.S. REPS MADE CLEAR THAT USG IS PREPARED TO WORK

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ACTIVELY TOWARD CONCERTED ACTION TO RESOLVE WARSHIP PROB-

LEM, BUT ENTRY INTO FORCE OF CONVENTION IN PRESENT FORM  
WOULD BE DAMAGING TO JOINT DEFENSE INTERESTS.

4. U.S. PROPOSED NUMBER OF OPTIONS FOR NEW CONVENTION  
BASED ON BRUSSELS TEXT BUT WITH WARSHIP EXCLUSION. FRG  
ARGUED THAT DELAY IN BRINGING SUCH A NEW CONVENTION INTO  
FORCE, AND DANGER THAT THIS APPROACH MIGHT OPEN UP NUM-  
BER OF OTHER ISSUES FOR AMENDMENT IN WAYS INCOMPATIBLE  
WITH INTERESTS OF POTENTIAL OPERATORS, MADE THESE OPTIONS  
EXTREMELY UNPALATABLE. RESERVATION EXCLUDING WARSHIPS  
UPON RATIFICATION BY U.S. AND U.K. SEEMED TO THEM QUICKER  
AND MORE EFFICACIOUS ROUTE TO ACHIEVE OBJECTIVE.

5. U.S. AND U.K. REPS CAUTIONED THAT FUTURE RESERVATION  
BY WARSHIP OPERATORS ALONE MAY NOT BE ADEQUATE. IF RE-  
SERVATION TO BE USED IT ESSENTIAL THAT WARSHIPS BE EX-  
CLUDED FROM OUTSET WHEN TREATY ENTERS INTO FORCE. IN  
EFFECT, THIS MEANT THAT FRG MUST AT MINIMUM RATIFY WITH  
A RESERVATION, WHICH COULD BE PART OF JOINT ACTION BY  
MAJOR PRESENT AND POTENTIAL LICENSING STATES. AT SAME  
TIME, WE DID NOT COMMIT OURSELVES TO ACCEPTABILITY OF  
BRUSSELS CONVENTION TEXT EVEN WITH A WARSHIP EXEMPTION.

6. AT U.S. REQUEST, U.K. UNDERTOOK TO PROVIDE IN NEAR  
FUTURE COMPREHENSIVE ANALYSIS OF LEGAL EFFICACY OF RE-  
SERVATION. SIMILAR REQUEST TO FRG WAS NOT CLEARLY  
ACCEPTED, ALTHOUGH WE BELIEVE FOREIGN MINISTRY WILL EXERT  
INFLUENCE TO RESPOND. FRG WILL ALSO CONSIDER POSSIBLE  
PROTOCOL EXCLUDING WARSHIPS TO BE SIGNED AT TIME OF FRG  
RATIFICATION BY ALL STATES THAT HAVE RATIFIED OR ACCDED  
TO CONVENTION.

7. WHILE NO COMMITMENTS MADE, IT APPEARS:

- A. FRG WILL NOT RATIFY AT LEAST UNTIL JUNE OR JULY.
- B. FRG LIKELY TO CONSULT US AND HMG AGAIN BEFORE  
ACTING.
- C. FRG COOPERATION DEPENDENT UPON U.S. COOPERATION  
IN BRINGING LIABILITY CONVENTION FOR MERCHANT  
SHIPS INTO FORCE ASAP, WHETHER OR NOT U.S. RATI-  
FIES.

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8. THROUGHOUT COURSE OF DISCUSSIONS U.K. DELEGATION GAVE  
STRONG SUPPORT TO EFFORTS TO CONVINCE FRG TO ACCEPT U.S.  
POSITION ON CONVENTION.

HILLENBRAND

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## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TREATY RATIFICATION, NUCLEAR POWERED SHIPS, MEETINGS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 18 MAR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GolinoFR  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Document Unique ID:** 00  
**Drafter:** n/a  
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**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D750095-0404  
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**Office:** ACTION PM  
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